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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE:

EXCEL INNOVATIONS, INC.

Debtor.

Case No. 04-53874-ASW11

Chapter 11

**NOTICE OF HEARING ON MOTION TO APPROVE
COMPROMISE WITH U.S. BANK, N.A.**

Date: December 7, 2010

Time: 1:15 p.m.

Place: Courtroom 3020

280 South First Street

San Jose, California 95113

HONORABLE ARTHUR S. WEISSBRODT

PLEASE TAKE NOTICE that on December 7, 2010 at 1:15 p.m. or as soon thereafter as it may be heard in the above-entitled United States Bankruptcy Court (the "Court"), plaintiff Excel Innovations, Inc. ("Excel") will move the Court for authority to compromise a controversy with U.S. Bank, N.A. ("Bank"). The settlement involves the exchange of mutual releases, and Bank will release any claims to funds that it is holding as a stakeholder. This settlement is related to the settlement between Excel and YOU Technology f/k/a YT Acquisition Corp. ("YT") that will involve recovery of cash in an amount totaling approximately \$925,000.00 whose approval is concurrently noticed (Doc. 714).

PLEASE TAKE FURTHER NOTICE that the proposed settlement satisfies the

1 criteria enumerated in *In re A & C Properties*, 784 F.2d 1377 (9th Cir. 1986).

2 PLEASE TAKE FURTHER NOTICE that Excel's motion is based upon this
3 Notice of Hearing; Excel's Motion to Approve Compromise with YOU Technology f/k/a
4 YT Acquisition Corp; Excel's Motion to Approve Compromise with U.S. Bank, NA; Excel
5 Innovations, Inc.'s Memorandum of Points and Authorities in Support of the Motion;
6 The Declaration of Gregory J. Charles, Esq. and its exhibit; and such arguments and
7 evidence as may be presented at a hearing on the Motion.

8 PLEASE TAKE FURTHER NOTICE that all written opposition to the Motion
9 must be filed with the Clerk of the Bankruptcy Court, San Jose Division, Room 3035,
10 280 South First Street, San Jose, CA 95113-3099, and served on the undersigned at the
11 address set forth in conformity with Local Rules 7007-1 and 9013-1 of the United States
12 Bankruptcy Court for the Northern District of California.

13 Dated: November 17, 2010

CAMPEAU GOODSSELL SMITH
A Law Corporation

15 By: /s/Gregory J. Charles
16 Gregory Charles
Attorneys for the Debtor